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C O N F I D E N T I A L BEIJING 002793

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SUBJECT: CHINA EXPRESSES CONCERN OVER ICC INDICTMENT OF
SUDANESE PRESIDENT

Classified By: Deputy Political Section Chief Ben Moeling. Reasons 1.4
(b) and (d).

1. (C) MFA International Organizations and Conferences
Department UN Affairs Division Deputy Director Sun Xiaobo and
International Criminal Court (ICC) Affairs Desk Officer Li
Jun expressed concern to PolOff July 17 that the ICC
indictment of Sudanese President Bashir would "further
complicate" the situation in Sudan. They said that China
supports the "suggestion of the UN Secretariat" to adopt a
UNSC resolution calling on the ICC to delay or suspend the
indictment for one year. Although neither indicated whether
or not China will take specific action regarding the ICC
indictment, both expressed hope that other UNSC members would
agree with the suggestion that the ICC delay the indictment.

2. (C) Deputy Director Sun stated that the "suggestion of the
UN Secretariat" for the ICC to delay the indictment is still
on the table but that no consensus exists on the matter among
the P5 members. He emphasized that the UN Security Council
has the responsibility to maintain peace and stability in
Darfur and should therefore avoid taking steps to complicate
the situation there. Li stated that the ICC indictment is
"not only a legal matter but also a political issue." He
said that China hopes the P5 can promote coordination among
UNSC members to "appropriately solve" the Darfur problem by
adopting a resolution urging the ICC to delay the indictment.

3. (C) Sun and Li's comments echo the July 16 remarks by Chinese MFA spokesman Liu Jianchao, who expressed "grave
concern and misgivings" about the ICC prosecutor's
indictment. Liu said, "the ICC's actions must be beneficial
to the stability of the Darfur region and the appropriate
settlement of the issue."
RANDT